

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, February 4, 1992  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:30 a.m. The meeting was recessed by Mayor O'Connor at 12:36 p.m. to reconvene at 5:30 p.m. The meeting was reconvened by Deputy Mayor Roberts at 5:37 p.m. with Mayor O'Connor and Council Members Hartley and Stevens not present. Deputy Mayor Roberts recessed the meeting to convene the Redevelopment Agency. Deputy Mayor Roberts reconvened the meeting at 5:44 p.m. with Mayor O'Connor and Council Member Hartley not present.

City Manager McGrory announced that sections of the Point Loma Outfall pipeline have been dislodged and moved out of their original alignment. He stated that the repair procedure has been initiated and that the City plans to award an emergency contract by February 5, 1992. The repair project is anticipated to take six to eight weeks depending on weather conditions and availability of materials. The community is asked to help by conserving water and minimizing the flows to Point Loma.

Mayor O'Connor adjourned the meeting at 6:50 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Behr-present
- (6) Council Member Henderson-present

(7) Council Member McCarty-present

(8) Council Member Filner-present

Clerk-Abdelnour/Fishkin (mc/mp)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor O'Connor-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-present  
(3) Council Member Hartley-present  
(4) Council Member Pratt-present  
(5) Council Member Behr-present  
(6) Council Member Henderson-present  
(7) Council Member McCarty-present  
(8) Council Member Filner-not present

PUBLIC COMMENT:

ITEM-PC-4: REFERRED TO THE CITY MANAGER

Public comment by unnamed person regarding his concern in  
the closing of various mental institutions.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C274-284.)

ITEM-PC-5: REFERRED TO THE CITY MANAGER

Comments by Ron Bociung regarding saving the S.S. United  
States ocean liner for San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E310-356.)

ITEM-PC-6:                    REFERRED TO THE CITY MANAGER

Comments by Dr. Art Salzberg regarding jobs for San Diego.

FILE LOCATION:            AGENDA

COUNCIL ACTION:            (Tape location: E357-380.)

ITEM-201:            CONTINUED TO FEBRUARY 10, 1992

Submitted by Mel Shapiro:

Amending the City Charter, Section 10-Elections,  
Adding: City Council Elections Other Than For the  
Mayor Shall be Conducted by Mail Ballot.  
(See City Clerk memorandum dated 1/6/92.)

COMMITTEE ACTION: Reviewed by RULES on 1/15/92. Referred to the  
2/3/92 City Council meeting, without a recommendation. Districts  
1, 2, 7 and 8 voted yea. Mayor not present.

FILE LOCATION:            --

COUNCIL ACTION:            (Tape location: A066-108.)

MOTION BY STEVENS TO CONTINUE TO FEBRUARY 10, 1992. Second  
by Hartley. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-not present, Mayor  
O'Connor-yea.

ITEM-310:            WELCOMED

Welcoming a group of approximately 15 Student Council  
Officers from Birdrock Elementary School, accompanied  
by their Principal, Mrs. Gilwee. This group will  
arrive at approximately 10:30 a.m.

(District-1.)

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FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A030-043.)

ITEM-330:

Consideration of an amendment to the University Community Plan, a Community Plan Implementation Overlay Zone Permit Type B (CPIOZ), and a Variance (DEP-91-0203) for the expansion of the Nissan Design Center. The proposed plan amendment would revise the development intensity element of the University Community Plan to allow Nissan to expand from 36,738 square feet to 44,628 square feet. The expansion includes a 7,890 square foot studio/shop and an underground, 5,007 square foot storage/garage space. The site is located at 9800 Campus Point Drive in the University Community Plan Area, and is further described as Parcel 2, Map-10410.  
(University Community Planning Area. District-1.)

Subitem-A: (R-92-1002) ADOPTED AS RESOLUTION R-279372

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-91-0203 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-92-1001) ADOPTED AS RESOLUTION R-279373

Adoption of a Resolution amending the University Community Plan.

FILE LOCATION: LAND - University Community Plan

COUNCIL ACTION: (Tape location: A109-117.)

Hearing began at 10:38 a.m. and halted at 10:39 a.m.

MOTION BY WOLFSHEIMER TO ADOPT THE AMENDMENT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-not present, Mayor  
O'Connor-yea.

ITEM-331: (R-92-992) DENY THE APPEAL AND GRANT PERMIT AS  
AMENDED, ADOPTED AS RESOLUTION R-279374

Matter of the request of Uptown Community Planning  
Group, by Michael LaBarre, for a hearing of an appeal  
from the action of the Board of Zoning Appeals in  
sustaining the decision of the Zoning Administrator in  
partially approving the request to maintain variances.

Applicant has requested to maintain the following,  
currently in violation: (1) a second-story addition to  
a one-story, single-family dwelling resulting in a  
maximum height of 37'-10" (building height is 32'-0",  
second-story chimney is 37'-10" in height, and  
first-story chimney is 33'-4" in height) where a  
maximum height of 30'-0" is permitted, and chimneys are  
not permitted to exceed 12 sq. ft. above the height  
limit; (2) said addition resulting in a Floor Area  
Ratio of .69 where .60 is the maximum permitted; said  
addition observing (3) a 6'-11" street side yard where  
10'-0" is required (existing house observes a 9'-0"  
street side yard); (4) a 2'-8" rear yard where 4'-0" is  
required; (5) maximum 13'-0" high columns for proposed  
covered patio observing a 1'-0" street side yard where  
10'-0" is required; (6) said columns located in the  
driveway visibility area where a maximum height of  
3'-0" is permitted; (7) maximum 8'-6" high combination  
retaining wall/open fence within the 15'-0" front yard  
where 9'-0" is the maximum height permitted provided  
that no single plan exceeds 6'-0" in height and  
horizontal separations are provided in compliance with  
design criteria; (8) maximum 8'-6" high combination  
retaining wall/open fence within the 10'-0" street side  
yard where 9'-0" is the maximum height permitted  
provided that no single plan exceeds 6'-0" in height  
and horizontal separations are provided in compliance  
with design criteria; and (9) said 8'-6" high  
combination retaining wall/open fence located within  
the corner visibility area where a maximum height of  
3'-0" is permitted. The subject property is located at

2160 Hickory Street, in the R1-5000 Zone, in the Uptown community, and is further described as the southwesterly 90 feet of Lot 22, Block 6, Mission Hills, Map-1115.  
(Case C-20792. District-2.)

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: ZONE - Zoning Appeals C-20792

COUNCIL ACTION: (Tape location: A171-B182.)

Hearing began at 10:43 a.m. and halted at 11:25 a.m.

Testimony in favor by Michael LaBarre.

Testimony in opposition by Lynne Heidel.

MOTION BY ROBERTS TO DENY THE APPEAL AND GRANT THE VARIANCE TO THE SITE YARD SET BACK BUT NOT TO THE FAR, SUBJECT TO A SCHEDULE ACCEPTABLE TO THE BUILDING DEPARTMENT AND ZONING OFFICIALS. RESOLUTION TO INCLUDE A RECORDED AGREEMENT BETWEEN THE OWNERS OF THE PROPERTY AND THE CITY STATING THAT THE SPACE ABOVE THE GARAGE NEVER BE ENCLOSED OR USED FOR HABITABLE SPACE. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-332:

Matter of amending the Southeast San Diego Community Plan to re-designate the existing Valencia Park Library site from Institutional to Commercial, and to re-designate the proposed library site from Residential Single-family, (5-10 dwelling units per acre), to Institutional. The Single-family SF-5000 zone on the proposed library site will be retained.

Certify Negative Declarations for the existing library site, located at 50th and Imperial Avenue (DEP-91-0524)

and the proposed library site at 51st and Market Streets (DEP-90-1098).

The proposed action will allow the demolition of the existing Valencia Park Library on its present 4,000 square-foot site, and the construction of a new library on a 7.9 acre site. The present site is located at the northeast corner of 50th and Imperial Avenue. The proposed relocation site is located at the northwest corner of 51st and Market Streets.

The subject property's legal description is, for Site #1, Portion of Lot 42, Horton's Purchase, Map-283; and for Site #2, Lots A through H, Block 22, Las Alturas Unit 5, Map-2053. Both sites are located in the Emerald Hills neighborhood, located within the Southeast San Diego Community Plan area. (District-4.)

Subitem-A: (R-92-881) ADOPTED AS RESOLUTION R-279375

Adoption of a Resolution certifying that the information contained in Environmental Negative Declarations DEP-90-1098 and DEP-91-0524 have been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declarations have been reviewed and considered by the Council.

Subitem-B: (R-92-880) ADOPTED AS RESOLUTION R-279376

Adoption of a Resolution approving the amendments to the community plan.

DOCKET SUPPORTING INFORMATION: At a public hearing held on October 31, 1991, after considering the documents, exhibits and public testimony given, the Planning Commission of the City of San Diego voted 6-0 to recommend approval to amend the Southeast San Diego Community Plan for the relocation of the Valencia Park Library. The amendment will re-designate land uses at the new library site from Residential Single-family to Institutional; and the existing library site from Institutional to Commercial. The Planning Commission also recommended certification of Negative Declarations DEP-90-1098 and DEP-91-0524.

FILE LOCATION: LAND - Southeast San Diego Community Plan

COUNCIL ACTION: (Tape location: A118-131.)

Hearing began at 10:39 a.m. and halted at 10:40 a.m.

MOTION BY STEVENS TO CORRECT THE DOCKET LANGUAGE FROM DEMOLITION OF THE EXISTING LIBRARY TO RELOCATION OF THE EXISTING LIBRARY AND TO MOVE FORWARD WITH ALL ACTIVITIES OF THE NEW LIBRARY. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-333: (R-92-1065) CONTINUED TO JUNE 15, 1992

Accepting The Urban Form Phase II Action Program; directing staff to prepare a fiscal analysis of the report and a phasing program indicating when each recommendation could be implemented.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A150-170; B545-C383; C503-593.)

MOTION BY WOLFSHEIMER TO CONTINUE TO JUNE 15, 1992 AND TO INCLUDE THE REPORT FROM T&LU OF MARCH 25, 1992. DIRECT STAFF TO PUT TOGETHER A MAP OF THEIR VISION OF HOW IT WOULD TAKE FORM IN THE FUTURE ALONG WITH A FINANCING PLAN. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-334: CONTINUED TO FEBRUARY 18, 1992

In the matter of the Impact of the Business Tax Increase on the Taxicab Industry.  
(See City Manager Report CMR-92-10.)

COMMITTEE ACTION: Reviewed by RULES on 1/15/92. Referred to the full City Council without a recommendation. Districts 1, 2 and 7 voted yea. District 8 and Mayor not present.



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FILE LOCATION:           --

COUNCIL ACTION:           (Tape location:   B458-544.)

MOTION BY WOLFSHEIMER TO CONTINUE TO FEBRUARY 18, 1992 TO BE HEARD AT THE SAME TIME WITH THE BUSINESS TAX SUSPENSION FOR BUSINESSES WITH TEN OR MORE EMPLOYEES. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-335:   (O-92-89)           CONTINUED TO FEBRUARY 10, 1992

(Continued from the meeting of January 21, 1992, Item S404, at Councilmember Behr's request, to allow more time to review the matter.)

Introduction of an Ordinance amending the San Diego Municipal Election Campaign Control Ordinance as proposed by the City Attorney's Task Force.  
(See the City Attorney's Reports dated 1/21/92 and 1/10/92.)

COMMITTEE ACTION: Reviewed by RULES on 1/15/92. Motion to continue. The item will be forwarded to Council by the Mayor. Districts 1, 2, 7 and 8 voted yea. Mayor not present.

FILE LOCATION:           --

COUNCIL ACTION:           (Tape location:   C482-496.)

MOTION BY BEHR TO CONTINUE TO FEBRUARY 10, 1992. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-336:   (R-92-1077)       ADOPTED AS RESOLUTION R-279377

Council confirmation of the following reappointments by the Mayor to serve as members of the Citizens Equal

Opportunity Commission, representing the City at Large,  
for terms ending January 1, 1994:

(See memorandum from Mayor O'Connor dated 1/16/92.)

Loretta Kiner  
Rev. Leola Arnold  
Beverly S. Schneider  
Eilene Cummins  
Dora E. Ortega

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A145-149.)

MOTION BY STEVENS TO ADOPT. Second by Behr. Passed by the  
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,  
Stevens-yea, Behr-yea, Stallings-yea, McCarty-not present,  
Filner-not present, Mayor O'Connor-yea.

ITEM-337: (R-92-1078) ADOPTED AS RESOLUTION R-279378

Council confirmation of the following reappointments by the Mayor to serve as members of the Board of Noise Abatement and Control for terms ending January 1, 1994: (See memorandum from Mayor O'Connor dated 1/16/92.)

NAME	CATEGORY
Dr. Robert Novak	Member of Public
Charles F. Jackson	Audiologist
Albert Ickstadt	Electrical Engineer
Jeff Fuller	Acoustician
Connie J. Postma	Construction Industry Contractor

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A145-149.)

MOTION BY STEVENS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-S400:

Nine actions relative to preparation of or future direction on ballot language for the June 2, 1992 ballot, as follows:

(See City Attorney Report.)

Subitem-A: CONTINUED TO FEBRUARY 10, 1992

Term limits.

NOTE: On 11/25/91 Council adopted Ordinance O-17713 to place the Charter amendments to establish a two-term limit for elected officials on the June ballot.

Subitem-B: CONSIDERED ON MONDAY, FEBRUARY 3, 1992

Charter amendment to create a Redistricting Commission.

Subitem-C: CONSIDERED ON MONDAY, FEBRUARY 3, 1992

Charter amendment to require mandatory elections to  
fill Council vacancies.

Subitem-D: CONSIDERED ON MONDAY, FEBRUARY 3, 1992

Restrictions on City franchises.

Subitem-E: CONSIDERED ON MONDAY, FEBRUARY 3, 1992

Alcohol ban at City parks and beaches.

Subitem-F: CONSIDERED ON MONDAY, FEBRUARY 3, 1992

Amendments to People's Ordinance of 1919 (Trash  
Ordinance).

NOTE: See Item 203A on the regular docket of 2/3/92.

Subitem-G: CONSIDERED ON MONDAY, FEBRUARY 3, 1992

Transfer of Mt. Soledad Memorial Cross property.

Subitem-H: CONTINUED TO FEBRUARY 10, 1992

Appointment and removal of Port District Commissioners.

Subitem-I: CONTINUED TO FEBRUARY 10, 1992

Charter amendment prohibiting the City from doing  
business with anonymous parties.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A066-108.)

MOTION BY STEVENS TO CONTINUE TO FEBRUARY 10, 1992. Second  
by Hartley. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-not present, Mayor  
O'Connor-yea.

ITEM-S500: (R-92-1197) ADOPTED AS RESOLUTION R-279379, FOR  
THE TRANSIENT OCCUPANCY TAX ONLY

In the matter of the responses to the proposals outlined in the Mayor's State of the City Address, regarding Transient Occupancy Tax Payment Deferral and Business Tax Suspension for Businesses with Ten or More Employees.

(See City Manager Reports CMR-92-38 and CMR-92-39.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B185-458.)

MOTION BY STEVENS TO ACCEPT THE CITY MANAGER'S RECOMMENDATION OF ALTERNATIVE NO. 1 OF CMR-92-39 DATED JANUARY 30, 1992 AND TO DIRECT THE CITY MANAGER TO GO BACK AND LOOK AT THE TOT TAX REVENUES TO SEE IF HE COULD FIND THE \$200,000 THERE RATHER THAN GOING TO THE GENERAL FUND.

Second by Behr. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

MOTION BY HARTLEY TO CONTINUE THE BUSINESS TAX SUSPENSION FOR BUSINESSES WITH TEN OR MORE EMPLOYEES TO FEBRUARY 18, 1992 AND DIRECT THE CITY MANAGER TO COME BACK WITH A PLAN WITH SHORT TERM SOLUTIONS AND A PLAN FOR ADDRESSING THE LONG TERM SOLUTIONS. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S501: (O-92-97) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17737 (New Series)

Introduction and adoption of an Ordinance amending Ordinance No. O-17667 (New Series), as amended, entitled "An Ordinance adopting the Annual Budget for the Fiscal Year 1991-92 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending the personnel authorization of the Building Inspection Department 1300 to exempt a new Assistant Deputy Director position for the Plan Review

Services Division from the Classified Service; and  
establishing a salary therefor.

CITY MANAGER SUPPORTING INFORMATION: This Ordinance will exempt one Assistant Deputy Director from the Classified Service, effectively reclassifying an existing Structural Engineering Associate to Assistant Deputy Director in order to implement the reorganization of the Plans Review Division of the Building Inspection Department. This reorganization will result in improved functional control of program activity as well as correct an existing overlay broad span of control in the Plan Review Services Division. (See Memorandum to Civil Service Commission dated July 23, 1991.)

The Civil Service Commission reviewed this request pursuant to Charter Section 117 on August 1, 1991 and commented favorably on the proposed exemption.

NOTE: The first public hearing was held on Tuesday, January 28, 1992, Item 330. Today's action is the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C497-503.)

MOTION BY BEHR TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-S502: (O-92-51) INTRODUCED AS AMENDED, TO BE  
ADOPTED FEBRUARY 18, 1992

(Continued from the meeting of January 28, 1992, Item 331, at Councilmember Roberts' request, for full Council.)

Proposal to amend Chapter X, Article 1 of the San Diego Municipal Code to establish a minimum vertical buffer between the height of new structures and the airport approach paths established by the Federal Aviation Administration for Lindbergh Field. The proposed

amendments may limit the height of new construction under the aircraft approach paths to Lindbergh Field. The approximate area that may be subject to new height restrictions is shown in Figure 1.

The proposed amendments also constitute amendments to the City of San Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendments must be submitted to the California Coastal Commission for review and certification. The LCP amendment would not become effective until after approval by the California Coastal Commission. (District-2.)

Introduction of an Ordinance amending the Municipal Code relating to the Airport Overlay Zone.

FILE LOCATION:           --

COUNCIL ACTION:           (Tape location: C384-481.)

Hearing began at 12:20 p.m. and halted at 12:30 p.m.

MOTION BY ROBERTS TO ACCEPT THE EXEMPTION PORTION OF THE ORDINANCE. Second by Stallings. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-nay.

MOTION BY ROBERTS TO INTRODUCE THE ORDINANCE AND ACCEPT THE STAFF RECOMMENDATIONS ALONG WITH THE LANGUAGE PREPARED BY THE CITY ATTORNEY WITH RESPECT TO THE PIPE LINES PROVISIONS IN THE CITY ATTORNEY'S MEMORANDUM DATED JANUARY 23, 1992 AS FOLLOWS:

### SECTION 3. EXEMPTIONS

A. IN AREAS OF THE CITY OF SAN DIEGO OTHER THAN THE COASTAL ZONE, ANY PROJECT OR ANY SUBSEQUENTLY MODIFIED PROJECT MEETING THE CRITERIA SET FORTH IN PARAGRAPHS B AND C BELOW, WHICH WAS ORIGINALLY SUBMITTED FOR APPROVAL PRIOR TO THE DATE OF INTRODUCTION OF THE ORDINANCE SHALL BE EXEMPT FROM THE PROVISIONS OF THIS ORDINANCE.

B. THE PROVISIONS OF THE AMENDED ORDINANCE SHALL NOT BE APPLICABLE TO PREVIOUSLY SUBMITTED PROJECTS WITHIN THE 7:1 SIDE SLOPES WHICH HAVE RECEIVED BOTH A "NO HAZARD"

DETERMINATION FROM THE FEDERAL AVIATION ADMINISTRATION AND A DETERMINATION OF COMPLIANCE FROM THE SAN DIEGO AIRPORT LAND USE COMMISSION PRIOR TO AUGUST 1, 1991.

C. THE EXCEPTIONS CREATED PURSUANT TO PARAGRAPH B SHALL BE APPLICABLE ONLY IF BUILDING PERMITS FOR THE BUILDINGS TO BE CONSTRUCTED ARE WITHIN THE PREVIOUSLY APPROVED BUILDING ENVELOPE AND THEY ARE SUBMITTED FOR THE EXEMPTED PROJECTS PRIOR TO JANUARY 28, 1995.

D. EXCEPTIONS SHALL ONLY BE APPLICABLE TO PROJECTS WITHIN THE 7:1 SIDE SLOPES MEETING THE ABOVE CRITERIA AND SHALL NOT BE APPLICABLE TO ANY PROJECTS WITHIN THE TRAPEZOIDAL SURFACE.

Second by Stallings. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,  
Behr-yea, Stallings-yea, McCarty-yea, Filner-not present,  
Mayor O'Connor-yea.

ITEM-S503: CONTINUED TO FEBRUARY 18, 1992

In the matter of the continued discussion of the  
Council Committee System.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A133-149.)

MOTION BY BEHR TO CONTINUE TO FEBRUARY 18, 1992 FOR FURTHER REVIEW WITH THE ATTORNEY'S OFFICE. Second by Stallings.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-S504: (R-92-1164) ADOPTED AS RESOLUTION R-279380

Authorizing the City Manager to accept an FAA Airport Improvement Program Grant; authorizing the City Manager to accept P&D Technologies' Proposal to prepare Twinports Master Plan and enter into a contract with P&D Technologies; authorizing an expenditure of \$16,000.  
(Otay Mesa Community Area. District-8.)



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Aud. Cert. 9200583.

FILE LOCATION: MEET CONTFY92-1

COUNCIL ACTION: (Tape location: D082-E222.)

MOTION BY BEHR TO ADOPT THE RESOLUTION APPROVING STAFF'S REPORT. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-CS-1: (R-92-1165) ADOPTED AS RESOLUTION R-279383

A Resolution adopted by the City Council in Closed Session on February 4, 1992:

Authorizing the City Manager to pay the sum of \$168,455.56 in the settlement of each and every claim in the City of San Diego, its agents and employees, resulting from property damage to the residence of Julie Klements as a result of a water main break that occurred November 8, 1990;

authorizing the City Auditor and Comptroller to issue one check in the amount of \$103,676.00 made payable to Luth and Turley, Inc. with the balance of \$64,779.56 to be paid at a later date in full settlement of all claims.

Aud. Cert. 9200584

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

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**COUNCIL COMMENT:**

None.

**ADJOURNMENT:**

The meeting was adjourned by Mayor O'Connor at 6:50 p.m.

**FILE LOCATION:** MINUTES

**COUNCIL ACTION:** (Tape location: E412).